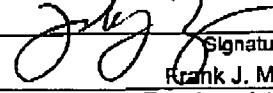


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PTO/SB/31 (03-09)

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) 02307E-151530US
I hereby certify that this correspondence is being facsimile transmitted to the USPTO. Fax No. 1-571-273-8300. on <u>May 5, 2009</u> Signature <u>Kimberly Heldt</u> Typed or printed name <u>Kimberly Heldt</u>		In re Application of Roger Y. Tsien et al. Application Number 10/057,505 Filed January 25, 2002 For TANDEM FLUORESCENT PROTEIN CONSTRUCTS Art Unit 1652 Examiner Hope A. Robinson
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <u>\$ 540</u></p> <p> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ </u> </p> <p> <input type="checkbox"/> A check in the amount of the fee is enclosed.     </p> <p> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.     </p> <p> <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.     </p> <p> <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u>.     </p> <p> <input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.     </p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the</p> <p> <input type="checkbox"/> applicant/inventor.     </p> <p> <input type="checkbox"/> assignee of record of the entire interest.  See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  (Form PTO/SB/96)     </p> <p> <input checked="" type="checkbox"/> attorney or agent of record.  Registration number <u>46,946</u> </p> <p> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.  Registration number if acting under 37 CFR 1.34.     </p> <p>   Signature  <u>Frank J. Mycroft</u>  Typed or printed name     </p> <p> <u>(925) 472-5000</u>  Telephone number     </p> <p> <u>May 5, 2009</u>  Date     </p> <p><b>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</b></p>		

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.**

Total of 1 forms are submitted.

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